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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/289,305	04/09/1999	GLENN BEGIS	10559/008001	8436

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EXAMINER

ABELSON, RONALD B

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/289,305

Applicant(s)

BEGIS, GLENN

Examiner

Ronald Abelson

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 05 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4, 8-10 and 15-29 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 11-14 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Amendment

1. The indicated allowability of claim 3 is withdrawn in view of the newly discovered reference(s) to Fournies. Rejections based on the newly cited reference(s) follow.

2. Regarding independent claims 1, 3, 11-14, and 30, the examiner agrees with the applicant that the amended claims overcome the teachings found in the section of Weingarten referenced in the prior office action. Therefore, a new search was performed.

Claim Rejections - 35 USC § 102

3. Claim 1, 2, 5, 6, 11-14, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Weingarten (US 6,078,579).

Regarding claims 1, 11-14, and 30, Weingarten teaches establishing a connection across a first communication network that carries audio signals (fig. 5 element 80, col. 8 lines 10-13); encoding a computer network address for a second network different from the first network into an encoded network address and sending the encoded network address across the first network (col. 8 lines 36-40); and using the network address that is sent over the first network to establish a network connection on said

Art Unit: 2666

second network (col. 8 lines 36-40); and maintaining the first connection across the first communication network while the second network connection is being established (col. 8 lines 40-45).

Regarding claims 11 and 12, in addition to the limitations previously listed, Weingarten teaches the first network is a voice telephone network (conversation, col. 8 line 14) and the second network is a computer network (ISP, col. 8 lines 40-45).

Regarding claim 12, in addition to the limitations previously listed, Weingarten teaches translating the encoded network address to a computer network address (establish a connection over the Internet, col. 8 lines 36-40).

Regarding claim 13, in addition to the limitations previously listed, Weingarten teaches obtaining a computer network address for a computer network (IP address, col. 8 lines 36-38).

Regarding claim 30, in addition to the limitations previously listed, Weingarten teaches a storage device (microcontroller, fig. 5 box 84, col. 8 lines 36-40).

Art Unit: 2666

Regarding claim 2, the first network comprises a voice telephone network (col. 8 lines 14-17).

Regarding claim 5, the second network comprises the Internet (col. 8 lines 36-40).

Regarding claim 6, the computer network address comprises an Internet protocol address (col. 8 lines 36-37).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Weingarten in view of Fougnyes (US 6,434,378).

Weingarten teaches establishing a connection across a first communication network that carries audio signals (fig. 5 element 80, col. 8 lines 10-13); encoding a computer network address for a second network different from the first network into an encoded network address and sending the encoded network address across the first network (col. 8 lines 36-40); and using the network address that is sent over the first network to establish a network connection on said second network (col. 8 lines 36-40).

Weingarten fails to teach encoding using dual tone multi-frequency signals (DTMF).

Fougnyes teaches encoding using dual tone multi-frequency signals (fig. 7 box 83, col. 5 lines 54-56).

Therefore it would have been obvious to one of ordinary skill in the art, having both Weingarten and Fougnyes before him/her and with the teachings [a] as shown by Weingarten, establishing a connection across a first communication network that carries audio signals, encoding a computer network address for a second network different from the first network into an encoded network address and sending the encoded network address across the first network, and using the network address that is sent over the first network to establish a network connection on said second network, and [b] as shown by Fougnyes, encoding

Art Unit: 2666

using dual tone multi-frequency signals, to be motivated to modify the system of Weingarten by transmitting the encoded signal using DTMF signals. This could be implemented by using the encoder/decoder of Fougnyes (fig. 7 box 83). This would improve the system since encoding using DTMF is a standardized method. By encoding using DTMF would enable the system to be easily integrated with other systems.

Allowable Subject Matter

6. Claims 4,8-10, and 15-29 are allowed.

7. The following is a statement of reasons for the indication of allowable subject matter.

Regarding claim 4, nothing the prior art teaches or fairly suggests appending the encoded network address to the telephone network signaling data in combination with the other limitations of the claims.

Regarding claim 8, nothing the prior art teaches or fairly suggests sending audio signals through the computer network in combination with the other limitations of the claims.

Art Unit: 2666

Regarding claims 9-10, 15, and 17, nothing the prior art teaches or fairly suggests encryption in combination with the other limitations of the claim.

Regarding claims 18, 23, and 24, nothing in the prior art teaches or fairly suggests the step of verifying, in combination with the other limitations listed in the claims.

Regarding claims 25, 26, and 29, nothing in the prior art teaches or fairly suggests a crossbar switch, in combination with the other limitations listed in the claim.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (703) 306-5622. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (703) 308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Art Unit: 2666

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

ra
Ronald Abelson
Examiner
Art Unit 2666

ra

March 25, 2003

RM

DANGLON
TIMOTHY EXAMINER